

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Mar 28, 2024**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

LUIS ANDRE PEREZ, a single person,

Plaintiff,

v.

STATE OF WASHINGTON,  
SPOKANE COUNTY, THE CITY OF  
AIRWAY HEIGHTS, WASHINGTON  
STATE DEPARTMENT OF  
CORRECTIOS, AIRWAY HEIGHTS  
CORRECTIONS CENTER,  
SUPERINTENDENT JAMES R. KEY,  
and CORRECTIONS OFFICER  
ANDREA PORTER,

Defendants.

No. 2:24-CV-00022-MKD

ORDER DENYING  
STIPULATED MOTION TO  
DISMISS AS MOOT

**ECF No. 12**

Before the Court is a Stipulated Motion to Dismiss. ECF No. 12. A plaintiff may dismiss an action without court order by filing a stipulation of dismissal signed by all parties who have appeared. Fed. R. Civ. P. 41(a)(1)(A)(ii). Plaintiff and Defendant Spokane County have stipulated that all claims against Defendant Spokane County should be dismissed with prejudice and without costs. ECF No.

12. However, the Court previously granted a stipulated motion to dismiss and dismissed Defendant Spokane County on February 12, 2024. ECF No. 10.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' stipulated motion, **ECF No. 12**, is **DENIED as moot**.

**IT IS SO ORDERED.** The District Court Executive is directed to file this Order and provide copies to counsel.

DATED March 28, 2024.

s/Mary K. Dimke  
MARY K. DIMKE  
UNITED STATES DISTRICT JUDGE